

**32B-4-414 Unlawful possession -- Exceptions.**

- (1) A person may not possess liquor within this state unless authorized by this title or the rules of the commission, except that:
- (a) a person who clears United States Customs when entering this country may possess for personal consumption and not for sale or resale, a maximum of two liters of liquor purchased from without the United States;
  - (b) a person who moves the person's residence to this state from outside of this state may possess for personal consumption and not for sale or resale, liquor previously purchased outside the state and brought into this state during the move, if the person:
    - (i) obtains department approval before moving the liquor into the state; and
    - (ii) pays the department a reasonable administrative handling fee as determined by the commission;
  - (c) a person who inherits liquor as a beneficiary of an estate that is located outside the state, may possess the liquor and transport or cause the liquor to be transported into the state if the person:
    - (i) obtains department approval before moving the liquor into the state;
    - (ii) provides sufficient documentation to the department to establish the person's legal right to the liquor as a beneficiary; and
    - (iii) pays the department a reasonable administrative handling fee as determined by the commission; or
  - (d) a person may transport or possess liquor if:
    - (i) the person transports or possesses the liquor:
      - (A) for personal household use and consumption; and
      - (B) not for:
        - (I) sale;
        - (II) resale;
        - (III) gifting to another; or
        - (IV) consumption on premises licensed by the commission;
    - (ii) the liquor is purchased from a store or facility on a military installation; and
    - (iii) the maximum amount the person transports or possesses under this Subsection (1)(d) is:
      - (A) two liters of:
        - (I) spirituous liquor;
        - (II) wine; or
        - (III) a combination of spirituous liquor and wine; and
      - (B)
        - (I) one case of heavy beer that does not exceed 288 ounces; or
        - (II) one case of a flavored malt beverage that does not exceed 288 ounces.
- (2)
- (a) Approval under Subsection (1)(b) may be obtained by a person who:
    - (i) is transferring the person's permanent residence to this state; or
    - (ii) maintains separate residences both in and out of this state.
  - (b) A person may not obtain approval to transfer liquor under Subsection (1)(b) more than one time.

Enacted by Chapter 276, 2010 General Session